

# In the United States Court of Federal Claims

Sub-Master Docket No. 17-9001L and Nos. 22-1115, 22-1167, and 22-1168

(Filed: November 3, 2022)

IN RE UPSTREAM ADDICKS AND  
BARKER (TEXAS) FLOOD-  
CONTROL RESERVOIRS

THIS DOCUMENT APPLIES TO:

*Orick v. United States*, No. 22-1115

*Rowden v. United States*, No. 22-1167

*Ruiz v. United States*, No. 22-1168

## ORDER OF DISMISSAL

Plaintiffs James Orick,<sup>1</sup> Margaret Rowden,<sup>2</sup> and Jhanina Ruiz<sup>3</sup> have filed duplicative short form complaints in *In re Upstream Addicks and Barker (Texas) Flood-Control Reservoirs*, Sub-Master Docket No. 17-9001L.

Rule 41 of the Rules of the Court of Federal Claims provides that “[i]f the plaintiff fails . . . to comply with these rules or a court order, the court may dismiss on its own motion.” RCFC 41(b). “This court ‘has discretion to dismiss a complaint which simply duplicates another pending related action.’” *Belgarde v. United States*, No. 07-467L, 2008 WL 2008940, at \*1 (Fed. Cl. Jan. 8, 2008) (quoting *Finch v. Hughes Aircraft Co.*, 926 F.2d 1574, 1577 (Fed. Cir. 1991)). Because each plaintiff’s successive complaint duplicates his or her prior complaint in the sub-master docket the later-filed cases, Nos. 22-1115, 22-1167, and 22-1168, are dismissed

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<sup>1</sup> Mr. Orick filed his first complaint on April 26, 2019. *Alghafir v. United States*, No. 19-624, ECF No. 1, Addendum A at 3. Mr. Orick filed another shortform complaint containing identical allegations on August 26, 2022. *Orick v. United States*, No. 22-1115, ECF No. 1.

<sup>2</sup> Ms. Rowden filed her first complaint on November 18, 2019. *Alisha Lodging Grp., LLC v. United States*, No. 19-1769, ECF Nos. 1, 1-1. Ms. Rowden filed another shortform complaint containing identical allegations on August 31, 2022. *Rowden v. United States*, No. 22-1167, ECF No. 1.

<sup>3</sup> Ms. Ruiz filed her first complaint on July 29, 2020. *Adams v. United States*, No. 20-920, ECF Nos. 1, 1-1. Ms. Ruiz filed another shortform complaint containing identical allegations on August 31, 2022. *Ruiz v. United States*, No. 22-1168, ECF No. 1.

without prejudice. The clerk is directed to enter judgment in the identified cases in accord with this disposition.

It is so **ORDERED**.

s/ Charles F. Lettow

Charles F. Lettow  
Senior Judge